

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

THOMAS BRIAN SMITH,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-15-776-D
)	
CHRISTOPHER STEPHENS, an)	
individual, GRAND TRANSIT)	
COMPANY, LLC, and AMERICAN)	
INTERNATIONAL GROUP, INC.,)	
a foreign insurance company,)	
)	
Defendant.)	

ORDER

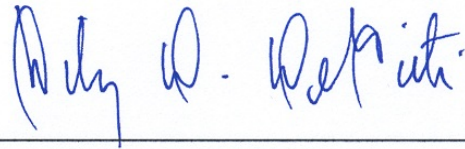
Upon examination of the Notice of Removal, the Court finds insufficient factual allegations to show the existence of federal subject matter jurisdiction based on diversity of citizenship under 28 U.S.C. § 1332(a), as asserted by Defendants.¹ The Notice of Removal states there is complete diversity of citizenship because Plaintiff is a citizen of the State of Oklahoma and Defendant Grand Transit Company, LLC is a Texas Limited Liability Company, “with its principal place of business in the state of Texas.” *See* Notice of Removal [Doc. No. 1], ¶ 4. The state court Petition alleges only that Grand Transit Company, LLC “is a Texas limited liability company.” *See* Petition [Doc. No. 1-2]. The Notice of Removal contains no information concerning the citizenship of the members or owners of Grand Transit Company, LLC and, therefore, fails to allege the citizenship of this defendant. *See Siloam Springs Hotel, L.L.C. v. Century Surety Co.*, 781 F.3d 1233, 1238 (10th Cir.

¹Because the Court has an independent obligation to determine whether subject-matter jurisdiction exists, the Court raises the issue *sua sponte*. *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006).

2015 (joining “all other circuits that have considered the matter” and holding that a limited liability company “ takes the citizenship of all its members”).

IT IS THEREFORE ORDERED that Defendants shall file an amended notice of removal that states a sufficient factual basis for diversity jurisdiction within 14 days from the date of this Order.²

IT IS SO ORDERED this 3rd day of August, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

²Defendants need not re-file the exhibits attached to the Notice of Removal but may incorporate them by reference pursuant to Fed. R. Civ. P. 10(c).